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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/240,048	01/29/1999	JOHN PATRICK AINSWORTH	068585.00006	6852
7590	10/21/2004		EXAMINER [REDACTED]	SHAH, SANJIV
JONATHAN TYLER KAYE SCHOLER LLP 425 PARK AVENUE NEW YORK, NY 10022			ART UNIT [REDACTED]	PAPER NUMBER 2176

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/240,048	AINSWORTH ET AL.	
	Examiner	Art Unit	
	Sanjiv D. Shah	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 07 June 2004.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1,4,5 and 23-61 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1,4,5 and 23-61 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date .
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ .
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 23-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moshfeghi et al. (Patent # 6,076,166) in view of Tuzhilin (Patent # 6,236,978).

Regarding claims 1, 32, 36, 41, 53, 57, Moshfeghi et al. teaches the method of dynamically generating the user presentation as shown in fig. 2, element 38. The health care network is described in col. 1, lines 16-28.

Selecting and retrieving the rules stored in response to the request and executing the rules to retrieve data is described in col. 7, lines 20-25.

Receiving and generating the presentation data is described in col. 7, lines 28-30. Since Moshfeghi et al. teaches generating the web pages it is inherent that graphical user interface (GUI) presentation is generated at the client's terminal.

Moshfeghi et al. does not specifically teach retrieving dynamic rules comprising at least one variable representing presentation information and determining value of the variable parameter as claimed. Tuzhilin does.

Specifically, Tuzhilin teaches retrieving dynamic rule as described in col. 14, lines 45-50. a variable associated with dynamic rule is described in col. 8, lines 32-52, wherein a

fuzzy variable is associated with the rule. Calculating the value of variable is described in col. 9, lines 1-15.

Therefore it would have been obvious for a person with ordinary skill in the art at the time the invention was made to incorporate dynamic rule with variable in the method of Moshfeghi et al. because it aids in computing useful association rules in data mining operation.

Regarding claim 23, 24, 25, 28, 44, 45, 46, 49, Tuzhilin teaches the claimed invention of variable parameter representing user identifier as described in col. 5, lines 10-15. Node ID in the present invention is considered equivalent to user ID.

Regarding claim 26, 47, Tuzhilin teaches the claimed invention of variable parameter representing geographic location information as described in col. 13, lines 25-30.

Regarding claim 27, 48, Tuzhilin teaches the claimed invention of user request identifier as described in col. 4, lines 1-5, wherein a Trans ID is taught. Transaction Id is equivalent to user request ID.

Regarding claims 29, 33, 50, 54, Tuzhilin teaches the claimed invention of rules including plurality of compound statements as described in col. 5, lines 35-45.

Regarding claims 30, 31, 51, 52, Tuzhilin teaches the claimed invention of retrieving the value from one or more database as described in col. 9, lines 1-15.

Regarding claims 37, 40, 58, 61, Moshfeghi teaches the claimed invention of HTML files as described in col. 2, lines 30-35.

Regarding claim 38, 59, Moshfeghi teaches the claimed invention of scripts as described in col. 2, lines 42-45.

Regarding claim 39, 60, Moshfeghi teaches the database as shown in fig 30. It is Well-known to ordinary skill in the art that the data is stored in tables within the database. Therefore the claimed database table is present in the database.

3. Claims 4, 5, 34, 35 42, 43, 55 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moshfeghi et al (Patent # 6,076,166) in view of Tuzhilin (Patent # 6,236,978) as applied above and further in view of Yu et al. (Patent # 5,410,693)

Regarding claims 4, 5, 34, 35, 42, 43, 55 and 56, combination of Moshfeghi et al. and Tuzhilin teaches the claimed invention as described above with respect to claims 1, 32, 36, 41, 53, 57.

Combination of Moshfeghi and Tuzhilin teaches a method of rule generation and generating the presentation data. However, it does not specifically teach a rule comprise a query statement or a SQL statement. Yu et al. does. Specifically Yu et al. teaches a structured query language as a set of command and syntactic rules for accessing the data as described in col. 3, lines 13-17.

Therefore it would have been obvious for a person with ordinary skill in the art at the time the invention was made to include the SQL rules as taught by Yu et al. in the method and system of Moshfeghi et al. because it enhances data security and reduces access time.

Response to Arguments

4. Applicant's arguments with respect to claim1, 4, 5, 23-61 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanjiv D. Shah whose telephone number is (703) 305-8355. The examiner can normally be reached on M-F 9-5:30. Beginning October 21, 2004, Examiner can be reached at (571)272-4098.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sanjiv D. Shah
Primary Examiner
Art Unit 2176

S.Shah
October 16, 2004